

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,
Plaintiff,

v.

SAMUEL ARCE-LEON,
Defendant.

CRIMINAL NO. 98-176 (JAF)

**REQUEST FOR DISCOVERY PURSUANT TO
RULE 32.1 OF FEDERAL RULES OF CRIMINAL PROCEDURE**

HON. CHIEF JUDGE JOSE A. FUSTE
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

COMES NOW Mr. SAMUEL ARCE-LEON, the defendant herein, represented by the Federal Public Defender for the District of Puerto Rico, and before this Honorable Court respectfully states and prays as follows:

1. There is a Motion Notifying of Violations of Supervised Release filed by the probation officer.

2. *Federal Rule of Criminal Procedure 32.1 (a)(2)(B)* provides that a person whose term of supervised release is to be revoked has the right to "disclosure of the evidence against the person." It should be noted that the Rule itself does not specify when that disclosure is to be made. In the interest of preparing to effectively represent the defendant, as well as expediency, it is respectfully requested that the probation officer provide counsel with the following information:

- a) Copies of any and all documents pertaining to the defendant's criminal charges at the state level in the Probation Officer's possession.

- b) Any and all other information directly related to the reasons for revocation that the U.S. Probation Office included in their motion.
- c) The notes (chronos) of the Probation Officer of the meetings held with the defendant.
- d) Copy of Presentence Investigation Report.

3. It is respectfully requested that an order be issued by this Honorable Court in which it order the Probation Officer to provide the information requested by defendant.

WHEREFORE it is respectfully requested that the information sought by defendant pursuant to *Federal Rule of Criminal Procedure 32.1(a)(2)(B)* be provided.

RESPECTFULLY REQUESTED.

In San Juan, Puerto Rico, July 28th, 2005.

JOSEPH C. LAWS, JR.
Federal Public Defender
S/FRANCISCO VALCARCEL-FUSTER
USDC-PR #220108
Assistant Federal Public Defender
241 Franklin D. Roosevelt Avenue
Hato Rey, PR 00918-2441
Tel. (787) 281-4922 / Fax (787) 281-4899
E-mail : *francisco_valcarcel@fd.org*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 28th , 2005 I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to counsel for the government, U.S. Attorney H.S. García, and the U.S. Probation Office (Norma Rivera-Rochet).
At San Juan, Puerto Rico, this 28th day of July, 2005.

JOSEPH C. LAWS, JR
Federal Public Defender
District of Puerto Rico

S/FRANCISCO VALCARCEL-FUSTER
USDC-PR #220108
Assistant Federal Public Defender
241 Franklin D. Roosevelt Avenue
Hato Rey, PR 00918-2441
Tel. (787) 281-4922 / Fax (787) 281-4899
E-mail : francisco_valcarcel@fd.org